

REMARKS

Status of the Claims

Claims 7, 8, 10, 11, and 13-16 are now present in this application. Claims 7, 10, 15, and 16 are independent.

Claims 7, 10, 13, 15, and 16 have been amended. Reconsideration of this application, as amended, is respectfully requested.

Statement of Substance of Interview

Applicant would like to thank Examiner Tran for the courtesy given to Applicants' Representative for the telephonic interview conducted on September 17, 2010. During the Interview, Applicants' Representative discussed the applied prior art reference (Takeuchi) and the present invention. While the Examiner did not appear to disagree with the argument that Takeuchi fails to disclose the PLOAM password as claimed, the Examiner asserted that the term "PLOAM password" should be further clarified in the claims.

Rejections under 35 U.S.C. § 103

Claims 7-8, 10-11 and 13-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Takeuchi et al. (U.S. Patent Publication No. 2008/0285972; hereinafter "Takeuchi"). This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

In order to support a rejection under 35 U.S.C. § 103, the Examiner must establish a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness three criteria must be met. First, there must be some rationale to combine the cited references. Second, there must be a reasonable expectation of success. Finally, the combination must teach each and every claimed element.

Independent claim 7 as amended recites, *inter alia*,

[a] passive optical network system comprising...

the new optical network unit includes

a notifying unit that receives, from the optical line termination, a control message requesting the PLOAM password, and issues a

response message that notifies the PLOAM password, wherein the PLOAM password is issued by a telecommunications firm, and **the PLOAM password is a password communicated by a physical layer OAM message.**

(emphasis added).

Independent claim 10 is similarly amended. Thus, the following remarks discussed with respect to claim 7 also apply to claim 10.

While Applicant does not agree with the assertion that “PLOAM password” is unclear as discussed above, claims 7 and 10 have been amended to clarify that the “PLOAM password” is a password communicated by a physical layer OAM message” as suggested by the Examiner. In contrast, Takeuchi is completely silent with respect to communicating PLOAM password between an OLT and an ONU as claimed. Instead, Takeuchi describes that during user authorization, password authentication protocol is used once PPPoE is established. See paragraphs [0059]-[0061] and Figures 24-26 of Takeuchi. Thus, Takeuchi fails to disclose or suggest, “[a] passive optical network system comprising...the new optical network unit includes a notifying unit that receives, from the optical line termination, a control message requesting the PLOAM password, and issues a response message that notifies the PLOAM password, wherein the PLOAM password is issued by a telecommunications firm, and **the PLOAM password is a password communicated by a physical layer OAM message**” as claimed.

Independent claim 15 recites, *inter alia*,

[an] optical line termination for a passive optical network,
connecting to a plurality of optical network units, comprising...

a physical layer termination unit transmitting to a newly activated optical unit a control message requesting a PLOAM password and acquiring the PLOAM password as a PLOAM message, the PLOAM password identifying a subscribed user of the newly activated optical unit...

wherein **the PLOAM password is a password contained in a PLOAM message belonging to a physical layer and is issued by the physical layer.**

(emphasis added).

Independent claim 16 recites similar features as in claim 15. Thus, the following remarks discussed with respect to claim 15 also apply to claim 16.

As discussed above, Takeuchi is completely silent with respect to communicating PLOAM password, which is a password contained in a PLOAM message belonging to a physical layer and is issued by the physical layer, as claimed. Instead, Takeuchi describes that during user authorization, password authentication protocol is used once PPPoE is established. See paragraphs [0059]-[0061] and Figures 24-26 of Takeuchi. Thus, Takeuchi fails to disclose or suggest, “[an] optical line termination for a passive optical network, connecting to a plurality of optical network units, comprising...a physical layer termination unit transmitting to a newly activated optical unit a control message requesting a PLOAM password and acquiring the PLOAM password as a PLOAM message, the PLOAM password identifying a subscribed user of the newly activated optical unit...wherein **the PLOAM password is a password contained in a PLOAM message belonging to a physical layer and is issued by the physical layer.**” as claimed.

In view of the above remarks with respect to claims 7, 10, 15, and 16, it is respectfully submitted that Takeuchi fails to establish *prima facie* obviousness. As claims 8, 11, 13, and 14 depend from claims 7 and 10 respectively, it is respectfully submitted that these claim are also patentable for at least their dependency. Thus, it is respectfully requested that the rejection of claims 7, 8, 10, 11, and 13-16 under 35 U.S.C. § 103 be withdrawn.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

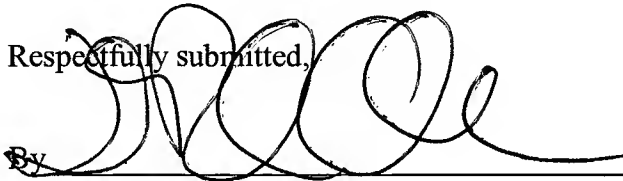
In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Dennis Powei Chen, Registration No. 61,767 at the telephone number of the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

Dated: October 7, 2010

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'D. Anderson', written over a horizontal line.

~~By~~
D. Richard Anderson

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